

09-27-02

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Assistant Commissioner for Patents  
Washington, DC 20231

2832/1  
10/4/02

CERTIFICATE OF EXPRESS MAILING

Assistant Commissioner for Patents  
Washington, D. C. 20231

I hereby certify that this complete response is being deposited with the United States Postal Service as EXPRESS mail article ET663103440US with sufficient postage pre-paid in an envelope addressed to: Assistant Commissioner for Patents, Washington, D. C. 20231, on this

date: 9-25-02

Signature:

Brad A. Armstrong

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OCT-2 2002  
TECHNOLOGY CENTER 2800

Assistant Commissioner for Patents  
Washington, DC 20231

Re: Patent Application of Brad A. Armstrong, Sole Inventor  
Serial No.: 09/955,838  
Filed: 09/18/01

Title: ANALOG SENSOR(S) WITH SNAP-THROUGH TACTILE FEEDBACK  
Examiner: Karl Easthom  
GAU: 2832

Sir:

REMARKS

This is responsive to the Office Advisory Action, date mailed 09/10/2002, regarding patent application 09/955,838.

Regarding the Advisory Action: It is noted Box "a)" of the Advisory Action is checked and that Applicant has 3 months from the Final mailing date in which to respond to the Advisory Action.

Regarding the Advisory Action: It is noted Box 3 of the Advisory Action is checked and the Examiner has stated that the prior art rejections are overcome. Applicant is in agreement.

Regarding the Advisory Action: It is noted Box 5 of the Advisory Action is checked and the Examiner states that: a copy of the terminal disclaimer previously filed by Applicant for 5,999,084 should be submitted, along with a Postcard receipt, because a copy thereof is not in the file.

Please find herewith a True copy of the terminal disclaimer previously filed on 9/18/01 by Applicant for 5,999,084, along with a True copy of the Postcard receipt showing that the terminal disclaimer was filed on 9/18/01 at the PTO. The fee payment for the terminal disclaimer was also paid on 9/18/01 as indicated on the True copy of the Postcard receipt.

Please apply this previously submitted terminal disclaimer or alternatively, since the terminal disclaimer filed 9/18/01 included herewith is only a copy, although a True copy, please also find herewith a new terminal disclaimer with original signature and the \$55.00 small entity fee payment therefore. The PTO is requested to apply whichever of these two terminal disclaimers judged best to resolve the matter and advance my application toward issuance. Thank you.

Applicant submitted / submits the terminal disclaimers only to expedite the advancement of this application toward issuance and because the submission of a terminal disclaimer is not an admission of anything, see Quad Environmental Technologies Corp. v. Union Sanitary District, 946 F.2d 870, 20 USPQ2d 1392 (Fed. Cir. 1991) and in particular therein the statement

"a terminal disclaimer is of circumscribed availability and effect. It is not an admission of obviousness of the latter filed claimed invention in light of the earlier filed disclosure" .

Regarding the Advisory Action: It is noted Box 7 of the Advisory Action is checked and the Examiner states that this amendment will be entered.

Regarding the Advisory Action: It is noted Box 10 of the Advisory Action is checked and the Examiner states that "The IDS must be resubmitted indicating what portions of the documents were sent, Eg. Abstract only, etc."

Applicant assumes the Examiner is referring to 8 pages of references listed on Substitute for form 1449A/PTO submitted 9/18/01 and initialed by the Examiner on 4/30/02 as having been considered. Applicant herewith submits copies of the 8 pages of Substitute for form 1449A/PTO submitted 9/18/01, however these copies have the specific mentioning of the "Questel-Orbit" deleted by cover-up pigment before photocopying. The individual references from the "Questel-Orbit" 24 page search results were and still are individually listed in the Substitute for form 1449A/PTO and are generally relevant prior art in some cases.

While all of the references listed on the herewith 8 pages of Substitute for form 1449A/PTO were considered and initialled on 4/30/02 by the Examiner, Applicant's herewith copies were made from copies printed before the Examiner considered the references and initialled adjacent each specific reference. Therefore the Examiner is requested to please again initial each of the references on the herewith set so that the record is clear that these references were all considered during the examination process. Thank you.

Applicant has added the appropriate wording in the far right hand box in the herewith Substitutes for form 1449A/PTO to indicate "what portions of the documents were sent, Eg. Abstract only, etc." Applicant's use of the term "abstract only" is with the belief that typically abstracts associated with patent documents include at least one drawing figure representative of

the invention, since most of the abstracts sent by Applicant did include at least one drawing, as I'm sure the PTO records show.

Applicant's earlier U.S. Patents 6,135,886 and 6,198,473 were listed in the IDS, but apparently copies of the patents were not sent according to Applicant's records. These two patents are not very relevant anyway, and so if the Examiner did not or does not consider them, they do not effect the patentability of the present invention.

Applicant's earlier U.S. Patent 6,222,525 was listed in the IDS, but apparently a copy was not sent according to Applicant's records. This patent is in the priority claim of the instant application, and does adversely effect the patentability of the instant claimed invention.

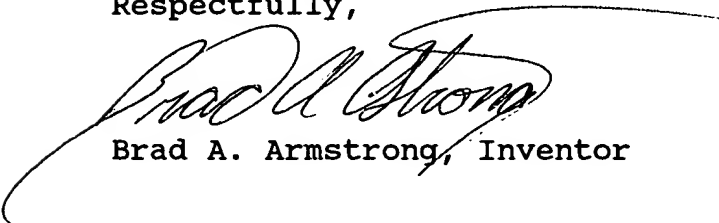
Applicant has searched his records to determine just what was sent, however, the PTO records of the actual received documents could be more reliable, although Applicant is not aware of any inaccuracies in the herewith IDS forms.

None of the prior art references alone or in proper combination are believed to teach or suggest the present invention.

It is respectfully requested the Examiner enter and act upon this response and find that this response places the application and claims 1-24 in condition for allowance. Thank you.

I would like to thank the Examiner for his assistance with this important matter.

Respectfully,

  
Brad A. Armstrong, Inventor

Date: 9-25-02